

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

MOSHIK NADAV, and MOSHIK NADAV
TYPOGRAPHY, LLC

Plaintiff,

- against –

K. SCOTT WEDDINGS, LLC, KEISHA N.
SCOTT, BERNEL WESTBROOK and DOES 1
through 10,

Defendants.

Case No.:

PLAINTIFFS' COMPLAINT FOR
COPYRIGHT INFRINGEMENT

JURY TRIAL DEMANDED

Plaintiffs Moshik Nadav ("Nadav") and Moshik Nadav Typography, LLC ("MNT"), by and through their undersigned attorneys, hereby prays for relief based on the following:

JURISDICTION AND VENUE

1. This action arises under the Copyright Act of 1976, Title 17 U.S.C., § 101 *et seq.*
2. This Court has federal question jurisdiction under 28 U.S.C. § 1331 and 1338 (a) and (b).
3. Venue and jurisdiction in this judicial district are proper under 28 U.S.C. § 1391(b) and in that this is the judicial district in which Defendants are located, that Defendants are each authorized to do business and do business in this judicial district, and this is the judicial district in which a substantial part of the acts and omissions giving rise to the claims occurred.

PARTIES

4. Nadav is an individual residing in Brooklyn, New York. Nadav is one of the world's leading creators of original stylized typefaces.
5. MNT is a New York limited liability company, wholly owned by Nadav, based in Brooklyn, New York. MNT exploits the proprietary copyrighted software developed by Nadav by licensing it to commercial customers.

6. Plaintiffs are informed and believe and thereon allege that Defendant K. Scott Weddings, LLC (“KSW”) is a North Carolina limited liability company authorized to and doing business in the State of North Carolina with its principal place of business in Guilford County, North Carolina.

7. Plaintiffs are informed and believe and thereon allege that Defendant Keisha Scott (“Scott”) is an individual resident of North Carolina, who resides and does business in Guilford County, North Carolina. Plaintiffs are further informed and believe and thereon allege that Scott owns and manages KSW.

8. Plaintiffs are informed and believe and thereon allege that Defendant Bernel Westbrook is a website designer who is present and doing business within this judicial district.

9. Plaintiffs are informed and believe and thereon allege that each Defendant conducts business within the Middle District of North Carolina, including having business locations, performing business operations and soliciting customers within this judicial district.

10. Plaintiffs are informed and believes and thereon alleges that Defendants DOES 1 through 10, inclusive, are other parties not yet identified who have infringed Nadav’s copyrights, have contributed to the infringement of Nadav’s copyrights, or have engaged in one or more of the wrongful practices alleged herein. The true names, whether corporate, individual or otherwise, of Defendants 1 through 10, inclusive, are presently unknown to Plaintiffs, who therefore sue said Defendants by such fictitious names, and will seek leave to amend this Complaint to show their true names and capacities when same have been ascertained.

11. Plaintiffs are informed and believes and thereon alleges that at all times relevant hereto each of the Defendants was the agent, affiliate, officer, director, manager, principal, alter ego, and/or employee of the remaining Defendant and was at all times acting within the scope of such agency, affiliation, alter-ego relationship and/or employment; and actively participated in or subsequently ratified and/or adopted each of the acts or conduct alleged, with full knowledge of all the facts and circumstances, including, but not limited to, full knowledge of each violation of Plaintiffs’ rights and the damages to Plaintiffs proximately caused thereby. Plaintiffs further

allege that Scott so dominates KSW as its sole member that KSW has no legal standing apart from Scott.

FACTUAL ALLEGATIONS

12. Nadav is engaged in the business of designing, creating, and producing computer software that generates, *inter alia*, type face fonts and art design works in digital formats for use with personal computers and commercial typesetting devices. Nadav's company, MNT, then markets and licenses that software for personal and commercial use.

13. Nadav created and is the exclusive owner of the software for the Lingerie XO Typeface font (the "Font Software"). The Font Software contains material that is wholly original with Nadav and is copyrightable subject matter under the laws of the United States. Nadav registered the copyright in the Font Software with the United States Copyright Office under Reg. No. TX 8-434-526 prior to Defendants' first use of the Font Software.

14. MNT offers licenses for the use of the Font Software, and prior to Defendants' infringing acts described below, Nadav and MNT made the Font Software available for licensing on the World Wide Web. Images of typeface generated by the Font Software are attached hereto as Exhibit A.

15. The typeface generated by the Font Software consists of unique characters, which cannot be created by hand or by other commercially available software.

16. Examples of the advertising and marketing materials created by Defendants are set forth in Exhibit B.

17. The uses by Defendants of the Font Software set forth herein (and shown on Exhibit B attached hereto) require a commercial license or multiple licenses from MNT or Nadav. Defendants have not sought a commercial license to use the Font Software for any purpose and have not acquired any such commercial license from either MNT or Nadav.

18. On information and belief, Defendants, and each, have used and/or instructed others to use unauthorized copies of the Font Software in the creation of products, merchandise and advertising materials in violation of 17 U.S.C. § 501 *et seq.*

19. On information and belief Defendants, and each, have created unauthorized copies of the Font Software or used the typeface and/or Font Software and/or any of its graphical representations and/or embodiments to design a logo (i.e., a logotype/graphical representing symbol) and artistic works for Defendants' commercial benefit. Defendants have distributed such works bearing artwork derived from unauthorized copies of the Font Software throughout the United States, including in this judicial district through Defendants' own websites.

20. Nadav and MNT previously informed Defendants that Defendants' unauthorized use of the Font Software infringed on Nadav's exclusive rights. Despite having such knowledge, Defendants have continued to infringe Nadav's exclusive rights in the Font Software.

21. A comparison of the results of Defendants' infringing uses of the Font Software and the characters created by Nadav's proprietary Font Software is attached as Exhibit C.

CLAIM FOR RELIEF

(For Copyright Infringement - Against All Defendants, and Each)

22. Nadav and MNT repeat, reallege and incorporate herein by reference as though fully set forth the allegations contained in the preceding paragraphs of this Complaint.

23. Nadav and MNT are informed and believe and thereon allege that Defendants, and each, have made unauthorized copies of the Font Software, distributed unauthorized copies of the Font Software to their respective agents, licensees and vendors, instructed said licensees and vendors to use unauthorized copies of the Font Software and that Defendants and their respective agents, licensees and vendors have used unlicensed and infringing copies of Font Software in the creation of product, merchandise and advertising materials (including without limitation those shown on Exhibit B) and have by reason thereof, infringed upon Nadav's rights in and to the Font Software.

24. At all times, Defendants, and each, have had a direct financial interest in the sales of product and packaging created with unauthorized copies of the Font Software, have directly

benefited financially from said activities and have had the right and ability to supervise said activities.

25. At all times, Defendants, and each, knew that their respective vendors and licensees were using unauthorized copies of the Font Software and Defendants induced and directed said licensees and vendors to make use of the unauthorized copies of the Font Software in the creation of product, merchandise and advertising materials.

26. Due to Defendants, and each of their, acts of infringement, Nadav has suffered damages in an amount to be established at trial.

27. Due to Defendants, and each of their, acts of copyright infringement as alleged herein, Defendants, and each of them, have obtained profits they would not otherwise have realized but for their infringement of the Font Software. As such, Nadav is entitled to disgorgement of Defendants', and each of their, profits attributable to the infringement of the Font Software in an amount to be established at trial.

28. Nadav and MNT are informed and believe and thereon allege that Defendants, and each of them, have committed copyright infringement with actual or constructive knowledge of Nadav's rights such that said acts of copyright infringement were, and continue to be, willful, intentional and malicious.

PRAYER FOR RELIEF

Wherefore, Plaintiff prays for judgment as follows:

- a. That Defendants—each of them—and their respective agents and servants be enjoined from importing, manufacturing, distributing, offering for sale, selling or otherwise trafficking in any product that infringes Nadav's copyrights in the Font Software;
- b. That Nadav be awarded all profits of Defendants, and each of them, plus all losses of Nadav, the exact sum to be proven at the time of trial, or, if elected before final judgment, statutory damages as available under the Copyright Act, 17 U.S.C. § 101 et seq.;

- c. That Nadav be awarded his attorneys' fees as available under the Copyright Act U.S.C. § 101 et seq.;
- d. That Plaintiffs be awarded pre- and post-judgment interest as allowed by law;
- e. That Plaintiffs be awarded the costs of this action; and
- f. That Plaintiff be awarded such further legal and equitable relief as the Court deems proper.

Plaintiff demands a jury trial on all issues so triable pursuant to Fed. R. Civ. P. 38 and the 7th Amendment to the United States Constitution.

Dated: November 26, 2024

Respectfully submitted:

/s/ John S. Austin
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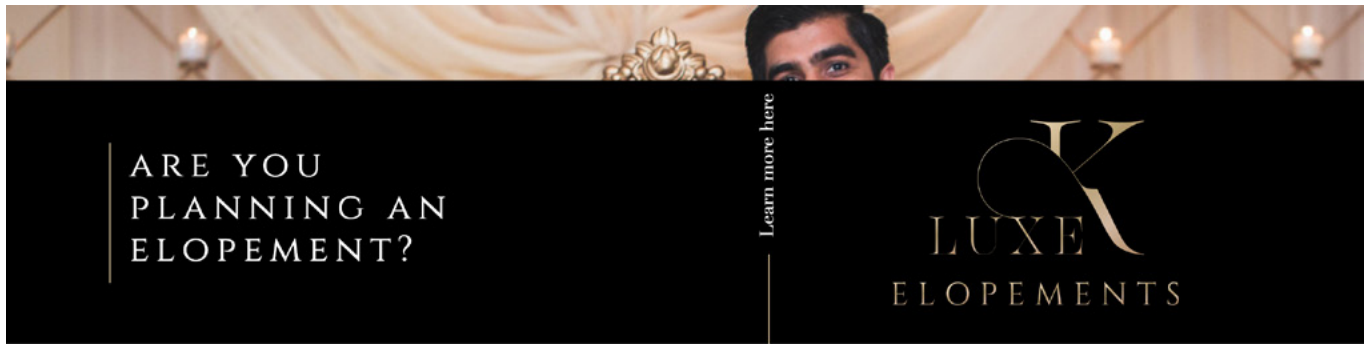
EXHIBIT
A

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**EXHIBIT
B**



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Your Wedding Day

...IS THE FOCUS OF OUR ATTENTION AS WE PLAN
THE INTRICATE DETAILS OF YOUR CEREMONY

At K. Scott Weddings, we value the time, quality, and details designed for each couple, therefore, we book a limited amount of clients per year. We offer full service planning and design services.

Wedding planning accounts for about 8-12% of the overall wedding budget. Our planning and design proposals are customized to our clients needs. K. Scott weddings will utilize our solid background in interior design to offer full service design and decor with budgets beginning at \$60,000 and with an average median budget of \$150,000 for a minimum of 300 guests.

We pride ourselves on exceptional planning, logistics, and full design and decor for our clients. We only want and deliver the best for you! It starts with your complimentary consultation as the blueprint to your wedding day! We're excited to work alongside you, contact us below!

[CONTACT US](#)

THE PROCESS

Our process begins with completing our initial contact form so we can learn a little more about your special day. We will then schedule an initial consultation to cover every detail needed to deliver your unique wedding! We brand your event with custom details to make your day one of kind! We will then curate a detailed and organized proposal based on your needs. Below is the process we execute to leave you stress free from planning, as we assist to prepare you to be the bride you've always dreamed of!

- | | |
|-----------------------------------|---------------------------------------|
| *FULL SERVICE PLANNING | *PROGRAMS |
| *COMPLIMENTARY CONSULTATION | *PLACE CARDS |
| *PROPOSAL DESIGN | *MENU CARDS |
| *CONCEPT MEETING | *FULL CEREMONY/RECEPTION DÉCOR DESIGN |
| *INSPIRATIONAL BOARD DESIGN | *FLOOR PLAN DESIGN |
| *FLORAL DESIGN/CENTERPIECE DESIGN | *LIGHTING DESIGN |

TAKE A PEEK AT SOME OF OUR INTIMATE MULTICULTURAL AND FUSION WEDDING MOMENTS....

Let's take a trip

AT K. SCOTT WEDDINGS, WE LOVE
EXPERIENCING LOVE AROUND THE WORLD

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FUSION
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MIDDLE EASTERN
WEDDINGS

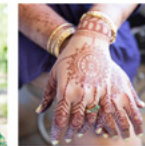
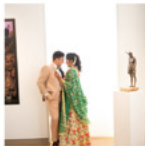
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ABOUT K. SCOTT WEDDINGS THROUGH THEIR TESTIMONIALS...

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WEDDING PLANNER

WORLDWIDE TRAVEL

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Love Notes

WHEN LOVE IS IN THE AIR, READ WHAT PEOPLE HAVE TO SAY ABOUT K. SCOTT WEDDINGS
THROUGH THEIR TESTIMONIALS.....

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"KEISHA WAS A GOD SENT FOR MY WEDDING"

Keisha and her girls is the team you need for your wedding especially a cultural/Nigerian/African wedding. Keisha was a God sent for my wedding. I met her early through a previous wedding she had planned and we started planning 18 months before my wedding. She went over every single detail with me. I was out of state and was nervous about how to plan being so far away. She recommended good vendors, she attended meetings with me and she was just very professional and hard working. I had a 2 day Nigerian wedding and she made sure everything ran smoothly. She brought a lot of order to the chaos that some guests tend to bring at a big wedding. She did all my decorations and her work is just amazing. She is also very affordable compared with other planners who wanted to charge 3x what she charges and didn't want to provide the kind of services worth the price. I will highly recommend her service to anyone who is getting married in the NC area and other nearby areas since she travels. Thank you so much Keisha I will never forget what you did for me!

-Yewande Ojo

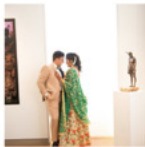
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CULTURE IS EVERYTHING TO ME, STARTING WITH WHERE I'M FROM!

Meet the Architect

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click below to learn more about me

Hi! I'm so glad you're here, thanks for stopping by! I'm Keisha Scott, the Innovator and Chief Designer of K. Scott Weddings. My specialty is constructing upscale multicultural and fusion weddings tailored to fit you. I recognize how challenging it is to be unique. You dream of your special day being everything you imagined it to be, as well as understanding all about the 3 C's. You request the planner who understands what it means to have a ceremony honoring the collaborating of two hearts, customized to honor your heritage, while celebrating your culture with close family and friends. Someone with a touch so personal, it seems you've known each other for years. These traits are dear to me and can be sketched back to my days of growing up on the island of Jamaica.

Culture is everything and was instilled in me at an early age. I was born and raised on the island of Jamaica, which is vibrant in food, clothes, family, and faith. The songs my grandmother taught me growing up still play on my heart to this day. Aromas of my favorite foods: authentic stew peas, rice and curry chicken can still be smelled. A rich culture I was determined to honor and keep throughout my life as I later became a wife to amazing man and mother to 2 precious girls.

As I relocated to North Carolina in 2006, I began my wedding planning business in 2008 and crafted my career obtaining my degree in Interior Design. I collaborated with a real estate agent customizing and designing homes. With a total of over thirteen years in interior designing and event planning, my efforts shined through as I lead my first cultural wedding in 2012.

As a Master of multicultural and fusion weddings I guarantee you a few things. I take the time to understand, interpret, and execute your wedding day as you have imagined it to be. I strategically plan all details and logistics for my couples. My goal is for you to be stress free and focused on the new life you both will build together. Let's astonish your guests and give them a wedding to relive for years to come! My team and I await the opportunity to wow you on your special day!

MY CORE VALUES

MY MOTIVATION


TESTIMONIALS



THESE STRONG BELIEFS HAVE SHAPED MY BUSINESS,
AND ALIGNED MY PASSION FOR CREATING CUSTOM
DESIGNED WEDDINGS


CORE VALUE 01.

Family is number one and means
everything.



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K.SCOTT WEDDINGS
CULTURAL WEDDING ARCHITECT

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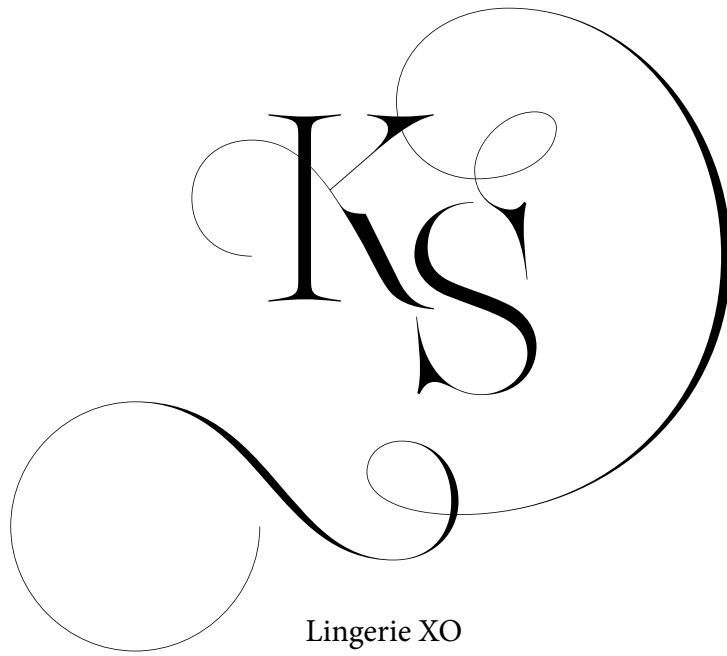
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C

Infusion of love and culture

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